



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Department of Social and Health Services, Aging and Disability Services

Subject of possible rule making: The department is considering amending or repealing the following sections and possibly adding new sections in chapter 388-76 WAC, Adult Family Home Minimum Licensing Requirements: WAC 388-76-10120 License – Must be denied; WAC 388-76-10160 Background check-General; WAC 388-76-01061 Background check Washington state—Who is required to have; WAC 388-76-10162 Background check-National fingerprint checks—Who is required to have; WAC 388-76-10163 Background check-Process; WAC 388-76-10164 Background check-Results; WAC 388-76-10165 Background check-Valid for two years; WAC 388-76-10170 Background check-Confidentiality—Use restricted-retention; WAC 388-76-10174 Background check—Disclosure of information—Sharing of background information by health care facilities; WAC 388-76-10175 Background check employment-Conditional hire-Pending results; WAC 388-76-10180 Background check-Employment-Disqualifying information; WAC 388-76-10200 Adult family home – Staff – Availability – Contact Information; WAC 388-76-10955 Remedies – Department must impose remedies; and other related sections.

Statutes authorizing the agency to adopt rules on this subject: RCW 70.128.040

Reasons why rules on this subject may be needed and what they might accomplish: The department is amending these rules to comply with and be consistent with Initiative 1163 and Engrossed Substitute House Bill (ESHB) 1277 as codified in RCW 70.128. In addition to implementing Initiative 1163 and ESHB 1277, the department is going to clarify the provision related to disqualifying crimes related to drugs.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: NA

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Contact:

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Draft section language will be posted on ADSA Professional internet webpage for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the Program Manager listed above via phone, email or fax.

DATE

February 13, 2012

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

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OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 17, 2012

TIME: 1:00 PM

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